

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

The Honorable Tom Cotton United States House of Representatives Washington, D.C. 20515

Dear Congressman Cotton:

The U.S. Environmental Protection Agency's (EPA) Superfund program will be proposing to add the Macmillan Ring Free Oil site, located in Norphlet, Arkansas, to the National Priorities List (NPL) by rulemaking. The EPA received a governor/state concurrence letter supporting the listing of the site on the NPL. Listing on the NPL provides access to federal cleanup funding for the nation's highest priority contaminated sites.

Because the site is located within your congressional district, I am providing information to help in answering questions you may receive from your constituency. The information includes a brief description of the site, and a general description of the NPL listing process.

If you have any questions, please contact me or your staff may contact Raquel Snyder, in the EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-9586. We expect the rule to be published in the <u>Federal Register</u> in the next several days.

Sincerely,

Mathy Stanislaus

Assistant Administrator

Enclosures



NATIONAL PRIORITIES LIST (NPL)

Proposed Site

December 2013

MACMILLAN RING FREE OIL | Norphlet, Arkansas

Union County

Site Location:

MacMillan Ring Free Oil is an abandoned refinery located in Norphlet, Union County, Arkansas. The 100 acre facility is bordered by a residential subdivision and the Norphlet Public School on the west, Hayes Creek on the north and east, and Massey Creek and bottomlands associated with the creek to the southwest.

△ Site History:

MacMillan Ring-Free Oil Refinery operated as a crude oil refinery and manufacturer of lubrication oil and asphalt products from 1929 to 1987. The property was sold in 1989 to Nor-Ark Industrial Corp who used the on-site storage tanks for asphalt products until March of 1991 when the company filed for bankruptcy. The facility was refurbished by Norphlet Chemical as a chemical manufacturing plant in early 2004 to produce tetrafluoroethane (Freon 134A) an automotive refrigerant. The plant never operated as intended and failed to produce the product. In 2007 the facility was abandoned and has remained vacant. The Arkansas Department of Environmental Quality (ADEQ) placed the site on the State Priority List under the Arkansas Pollution Control and Ecology Commission's Regulation No. 30 due to the potential for soil, surface water and/or ground water contamination and the need to remediate the site to protective levels. The ADEQ conducted a Comprehensive Site Assessment which developed remedial alternatives and, in November 2011, referred the site to the EPA for NPL consideration.

■ Site Contamination/Contaminants:

Surface and subsurface soil, ground water and surface water/sediment are contaminated with polycyclic aromatic hydrocarbons (PAHs), total petroleum hydrocarbons (TPH) and metals.

m Potential Impacts on Surrounding Community/Environment:

Surface water and ground water is contaminated. Sampling conducted by the EPA and ADEQ indicate that there may be as much as a foot of petroleum product underlying the facility. Currently there are several active seeps of waste discharging into surface drainage pathways and wetland areas north of the site. Without remediation of the site, additional releases to ground water, surface water and soil will continue to occur.

Response Activities (to date):

Extensive assessment and removal actions were completed at MacMillan in the early 1990s addressing free liquids in the impoundments and active releases to surface water. Wastes were treated on-site and treated materials were used to backfill the impoundments. In April 2009, a removal action by the EPA of tanks containing anhydrous hydrofluoric acid (AHF) and AHF mixtures was conducted; these tanks were associated with Norphlet Chemical operations.

■ Need for NPL Listing:

The site was referred to the EPA in 2011 from the state of Arkansas. Without listing, the site contamination will continue to pose a risk to human health and the environment. Other federal and state cleanup programs were evaluated, but are not viable at this time. The EPA received a letter of support for placing this site to the NPL from the state.

[The description of the site (release) is based on information available at the time the site was evaluated with the HRS. The description may change as additional information is gathered on the sources and extent of contamination. See 56 FR 5600, February 11, 1991, or subsequent FR notices.]

For more information about the hazardous substances identified in this narrative summary, including general information regarding the effects of exposure to these substances on human health, please see the Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQs. ATSDR ToxFAQs can be found on the Internet at http://www.atsdr.csc.gov/toxfaqs/index.asp or by telephone at 1-888-42-ATSDR or 1-888-422-8737.

NATIONAL PRIORITIES LIST (NPL)

WHAT IS THE NPL?

The National Priorities List (NPL) is a list of national priorities among the known or threatened releases of hazardous substances throughout the United States. The list serves as an information and management tool for the Superfund cleanup process as required under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The NPL is intended primarily to guide EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances.

There are three ways a site is eligible for the NPL:

1. Scores at least 28.50:

A site may be included on the NPL if it scores sufficiently high on the Hazard Ranking System (HRS), which EPA published as Appendix A of the National Contingency Plan. The HRS is a mathematical formula that serves as a screening device to evaluate a site's relative threat to human health or the environment. As a matter of Agency policy, those sites that score 28.50 or greater on the HRS are eligible for inclusion on the NPL. This is the most common way a site becomes eligible for the NPL.

2. State Pick:

Each state and territory may designate one top-priority site regardless of score.

3. ATSDR Health Advisory:

Certain other sites may be listed regardless of their HRS score, if all of the following conditions are met:

- a. The Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Department of Health and Human Services has issued a health advisory that recommends removing people from the site;
- b. EPA determines that the release poses a significant threat to public health; and
- c. EPA anticipates it will be more cost-effective to use its remedial authority than to use its emergency removal authority to respond to the site.

Sites are first proposed to the NPL in the *Federal Register*. EPA then accepts public comments for 60 days about listing the sites, responds to the comments, and places those sites on the NPL that continue to meet the requirements for listing. To submit comments, visit www.regulations.gov.

Placing a site on the NPL does not assign liability to any party or to the owner of any specific property; nor does it mean that any remedial or removal action will necessarily be taken.

For more information, please visit www.epa.gov/superfund/sites/npl/.